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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,255	03/20/2001	Patrick Todd Haugen	ROC920000302US1	1709

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EXAMINER

KENDALL, CHUCK O

ART UNIT PAPER NUMBER

2122

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/813,255

Applicant(s)

HAUGEN ET AL.

Examiner

Chuck K ndall

Art Unit

2122

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See continuation sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-25.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

WEI Y. ZHEN
PRIMARY EXAMINER

Advisory Action

Applicant's arguments filed 09/14/2004 have been fully considered but they are not persuasive. See Examiner's reasoning below.

Argument (1), Applicant argues on page 8 of Applicant's response dated 9/14/2004 that neither Blainey nor Archambault teaches "removing certain variables from an address taken alias set by replacing indirect references with direct references, or removing variables from an address taken alias set that can be reached by an indirect reference".

Response (1), Examiner believes that Blainey in light of Archambault does in fact disclose this limitation. As recited in Blainey in 8: 43 – 48 and also in 3: 43 – 52, Blainey discloses "determining refined sets of inter-compilation unit alias information by removing aliases included in the respective anti-alias set" also see 7:15 – 25, which show indirect alias sets and immediate sets in relation to the indirect sets. Blainey in column 3 lines 52 – 56, discusses "reducing the resulting augmented sets of inter compilation...by removing alias information in the respective anti-alias information sets...", therefore Examiner believes that the limitations as recited in Applicant's claims is covered in the Blainey reference, as noted Blainey discloses reducing resulting augmented sets by removing alias information.

Argument (2), Applicant also argues on page 10, of Applicant's response that the combination of Blainey and Archambault fails to disclose, "optimizing an intermediate representation of source code based on the uses made of an indirect reference and address alias set".

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Response (2), Examiner believes that both Blainey and Archambault do in fact disclose optimizing the intermediate representation. As recited in Archambault in column 6: 61 – 67, Archambault shows replacing with the resolved set and hence removing pessimistic redundancies, Examiner interprets this to producing an optimal representation and as such teaches Applicant's limitation. Blainey also discloses reducing the resulting set as described in 3:52 – 55, hence providing ample reasoning to combine references.